

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents
United States Patent and Trademark
Office
Box PCT
Washington, D.C.20231
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 26 June 2000 (26.06.00)	
International application No. PCT/US99/26969	Applicant's or agent's file reference 7346/VB
International filing date (day/month/year) 16 November 1999 (16.11.99)	Priority date (day/month/year) 16 November 1998 (16.11.98)
Applicant AQUINO, Melissa, Dee et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:

18 May 2000 (18.05.00)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer

R. Forax

Telephone No.: (41-22) 338.83.38

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 7346/VB	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US99/26969	International filing date (day/month/year) 16/11/1999	Priority date (day/month/year) 16/11/1998
International Patent Classification (IPC) or national classification and IPC B65F1/00		
Applicant THE PROCTER & GAMBLE COMPANY et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.


2. This REPORT consists of a total of 4 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 18/05/2000	Date of completion of this report 09.01.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Janc, G Telephone No. +49 89 2399 2553



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US99/26969

I. Basis of the report

1. This report has been drawn on the basis of *(substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments (Rules 70.16 and 70.17).)*:
Description, pages:

1-8 as originally filed

Claims, No.:

1-10 as originally filed

Drawings, sheets:

1,2 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US99/26969

☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	2,5-8,10
	No:	Claims	1,3,4,9
Inventive step (IS)	Yes:	Claims	8
	No:	Claims	2,5-7,10
Industrial applicability (IA)	Yes:	Claims	1-10
	No:	Claims	

2. Citations and explanations
see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:
see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US99/26969

VIII: The claims are ambiguous in that the odor-neutralizing composition apparently could be an absorbent material as such (see description page 6 line 14); thus claims 1 and 8 can be read as defining "a container...with an absorbent material having deposited thereon ...an absorbent material".

V: DE-A-2 254 542, Horn, anticipates claims 1, 3, 4 and 9.

Moisture absorbents and odor-neutralizing materials being generally known as such to the skilled man - see applicants EP-A-811 390 - it is not considered to be inventive to chose the appropriate material.

There is no suggestion in the available documents to claim 8.

INTERNATIONAL COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 7346/VB	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/US 99/ 26969	International filing date (day/month/year) 16/11/1999	(Earliest) Priority Date (day/month/year) 16/11/1998
Applicant THE PROCTER & GAMBLE COMPANY et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 04 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).
- b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing:
- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

2. ☐ Certain claims were found unsearchable (See Box I).

3. ☐ Unity of invention is lacking (see Box II).

4. With regard to the title,

- ☒ the text is approved as submitted by the applicant.
- ☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

- ☐ the text is approved as submitted by the applicant.
- ☒ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No.

- ☒ as suggested by the applicant.
- ☐ because the applicant failed to suggest a figure.
- ☐ because this figure better characterizes the invention.

2
☐ None of the figures.

Box III TEXT OF THE ABSTRACT (Continuation of Item 5 of the first sheet)

The deficiencies under Rule 8.1(d) have been rectified as follows:

ln.1 :...bag (1)...

ln.2 :...material (2)...

INTERNATIONAL SEARCH REPORT

International Application No.

US 99/26969

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 B65F1/00 B65F7/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 B65F B65D

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the International search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X Y A	US 1 724 579 A (F. GUNNELL) 13 August 1929 (1929-08-13) the whole document	1, 2, 4, 9 6, 8, 10 3
Y	EP 0 811 390 A (THE PROCTER & GAMBLE CO.) 10 December 1997 (1997-12-10) cited in the application page 3, line 3 - line 4 page 3, line 34 - line 37	6, 7, 10
Y A	DE 43 04 715 A (HERHOF UMWELTECHNIK GMBH) 14 July 1994 (1994-07-14) column 3, line 64 - column 4, line 50 figures 1, 2	8 1, 2, 4, 5, 7

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents:

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
- "&" document member of the same patent family

Date of the actual completion of the international search

13 March 2000

Date of mailing of the international search report

21/03/2000

Name and mailing address of the ISA

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Authorized officer

Smolders, R

INTERNATIONAL SEARCH REPORT

International Application No.

/US 99/26969

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 022 553 A (J. PONTIUS) 11 June 1991 (1991-06-11)	1,5,9
Y	column 2, line 67 -column 3, line 49 column 5, line 6 - line 11 figure 1	7
X	GB 2 283 006 A (G. LEWIS) 26 April 1995 (1995-04-26) page 3, line 33 -page 5, line 8 page 6, line 16 - line 25 figures 1,2	1,2,4,9
X	DE 22 54 542 A (A. HORN) 9 May 1974 (1974-05-09) page 2, line 13 -page 3, line 25 claim 1; figures 1-3	1,3,4,9
A	GB 2 304 326 A (GUARDLINE DISPOSABLES LTD) 19 March 1997 (1997-03-19) page 4, line 26 -page 7, line 9 figures 1-8	1-4,8
A	WO 89 10311 A (SÜDCHEMIE AG) 2 November 1989 (1989-11-02) page 5, line 29 -page 6, line 28 page 2, line 15 -page 5, line 15 figures 1-3	1,2,4,8, 9

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

US 99/26969

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 1724579	A	13-08-1929	NONE	
EP 811390	A	10-12-1997	AU 3147197 A	05-01-1998
			AU 3287697 A	05-01-1998
			BR 9709651 A	10-08-1999
			CA 2257183 A	11-12-1997
			CA 2257628 A	11-12-1997
			CN 1225569 A	11-08-1999
			CN 1225571 A	11-08-1999
			EP 0811392 A	10-12-1997
			WO 9746191 A	11-12-1997
			WO 9746194 A	11-12-1997
DE 4304715	A	14-07-1994	NONE	
US 5022553	A	11-06-1991	AU 8057191 A	31-12-1991
			WO 9118809 A	12-12-1991
			US 5158199 A	27-10-1992
GB 2283006	A	26-04-1995	NONE	
DE 2254542	A	09-05-1974	NONE	
GB 2304326	A	19-03-1997	US 5885262 A	23-03-1999
			GB 2330821 A, B	05-05-1999
			GB 2330822 A, B	05-05-1999
WO 8910311	A	02-11-1989	DE 8805816 U	16-06-1988
			AT 62881 T	15-05-1991
			DK 433989 A	01-09-1989
			EP 0366726 A	09-05-1990